



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of:

Kent I. Smedley

Application No.: 10/661,087

Filed: September 12, 2003

For: **METHODS AND DEVICES FOR
CONTROLLING FLOW AND PARTICLE
FLUIDIZATION IN A FUEL CELL**

Art Unit: 1745

Examiner: Jonathan Crepeau

**DECLARATION OF KENT I. SMEDLEY
UNDER 37 C.F.R. § 1.132**

1. My name is Kent I. Smedley. I am over 18 years of age and otherwise competent to make this declaration. All facts stated herein are based on my personal knowledge.
2. I am a named inventor of U.S. Patent 6,764,588.
3. I am the first-named inventor of U.S. Patent Application Serial No. 10/661,087 captioned above.
4. I affirm that the fluidization apparatus disclosed but not claimed in U.S. Patent 6,764,588 was in fact invented jointly by myself and Stuart I. Smedley. That apparatus is shown in U.S. Patent 6,764,588 in Figures 5, 6A & 6B.

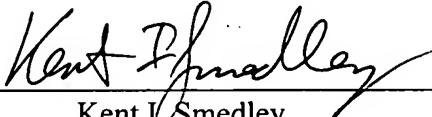
/

/

/

5. I affirm that Claims 1-10 and 34-52, as amended in November 2006, of U.S. Patent Application Serial No. 10/661,087 recite a fuel cell system invented jointly by myself and Stuart I. Smedley.

Executed this 30th day of November 2006.


Kent I. Smedley